

**House Bills and Resolutions on First Reading**

The following bills received from the House were read first time and referred to the committee indicated:

H. C. R. No. 37, to Committee on Jurisprudence.

H. C. R. No. 55, to Committee on Finance.

H. C. R. No. 56, to Committee on Finance.

H. C. R. No. 13, to Committee on Jurisprudence.

H. C. R. No. 53, to Committee on State Affairs.

H. J. R. No. 17, to Committee on Constitutional Amendments.

H. B. No. 57, to Committee on Jurisprudence.

H. B. No. 154, to Committee on Jurisprudence.

H. B. No. 153, to Committee on Jurisprudence.

H. B. No. 17, to Committee on Public Health.

H. B. No. 37, to Committee on Jurisprudence.

H. B. No. 14, to Committee on Legislative, Congressional and Judicial Districts.

H. B. No. 53, to Committee on Transportation.

H. B. No. 39, to Committee on Jurisprudence.

**Resolution Signed**

The President signed in the presence of the Senate after the caption had been read, the following enrolled resolution:

H. C. R. No. 61, Recalling H. B. 145 from the Governor for correction.

**Message from the House**

Hall of the House of Representatives  
Austin, Texas,  
March 20, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. C. R. No. 10 Requesting Texas Legislative Council to study traffic accident problem on streets and highways.

Respectfully submitted,

DOROTHY HALLMAN,  
Chief Clerk, House of Representatives

**Senate Bill 86 with House Amendments**

Senator Martin called S. B. No. 86 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Snator Martin moved that the Senate do not concur in the House amendments, but that a conference committee be appointed to adjust the differences between the two Houses on the bill.

The motion prevailed.

**Adjournment**

On motion of Senator Hardeman the Senate at 11:50 o'clock a.m. adjourned until 10:30 o'clock a.m. tomorrow.

**FORTY-SECOND DAY**

(Thursday, March 21, 1957)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

**Committee to Escort Honorable W. C. Daniel to Joint Session**

The President announced the appointment of the following pursuant to the provisions of H. C. R. No. 20 to escort the Honorable W. C. Daniel, National Commander of The American Legion, to the Joint Session.

Senators Krueger, Moffett, Martin, Reagan and Herring.

**Morning Call Dispensed With**

The President announced that the Morning Call would be dispensed with until the conclusion of the Joint Session.

**Joint Session**

(To Hear Message of W. C. Daniel)

The President announced that pur-

suant to the provisions of H. C. R. No. 20, the time had arrived for the Joint Session to hear an address by the Honorable W. C. (Dan) Daniel, National Commander of The American Legion.

The President of the Senate and the Senators present proceeded to the Hall of the House of Representatives at 10:30 a.m.

The Senators were announced and were admitted and escorted to seats prepared for them along the aisle.

The Presiding Officer (Senator Hardeman in Chair) called the Senate to order, and announced a quorum of the Senate present.

Hon. Waggoner Carr, Speaker of the House of Representatives, called the House to order and announced a quorum of the House present.

Mr. Daniel and party were announced by the Doorkeeper of the House.

Mr. Daniel's party, composed of Joe Matthews, Department Commander; Walter Janko, Department Vice-Commander; Perry Brown, Past Department Commander; Albert Brown, National Committeeman; Hollis Hull, Aide to National Commander; Buck Pierce; G. Ward Moody, Department Adjutant and Gilham Moody of Travis Post No. 76, were escorted to the Speaker's Rostrum by Senators Krueger, Herring, Reagan, Moffett and Martin, on the part of the Senate, and Representatives Ellis, Hale, Brashear, Osborn, Martin, Blanchard and Jamison on the part of the House.

The Speaker announced the purpose of the Joint Session and presented Joe Matthews, State Commander, and he then presented the Honorable W. C. (Dan) Daniel.

Mr. Daniel then addressed the Joint Session.

At the conclusion of the Joint Session, the Presiding Officer announced the purpose of the Joint Session concluded and requested the Senate to retire to its Chamber.

#### In Legislative Session

The President called the Senate to order as in Legislative Session at 11:02 o'clock a.m. today.

The roll was called and the following Senators were present:

Aikin  
Ashley  
Bracewell  
Bradshaw  
Colson  
Fly  
Fuller  
Gonzalez  
Hardeman  
Hazlewood  
Herring  
Hudson  
Kazen  
Krueger  
Lane  
Lock

Martin  
Moffett  
Moore  
Owen  
Parkhouse  
Phillips  
Ratliff  
Reagan  
Roberts  
Rogers  
Secrest  
Smith  
Weinert  
Willis  
Wood

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday, was dispensed with and the Journal was approved.

#### Reports of Standing Committees

Senator Weinert submitted the following reports:

Austin, Texas,  
March 20, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Jurisprudence, to whom was referred S. B. No. 45, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass with attached committee amendment and be printed.

WEINERT, Chairman.

Austin, Texas,  
March 20, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Jurisprudence, to whom was referred H. B. No. 94, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass with attached committee amendment and be printed.

WEINERT, Chairman.

Austin, Texas,  
March 20, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Juris-

prudence, to whom was referred S. B. No. 302, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WEINERT, Chairman.

Austin, Texas,  
March 20, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Jurisprudence, to whom was referred S. B. No. 329, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WEINERT, Chairman.

Austin, Texas,  
March 20, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Jurisprudence, to whom was referred H. C. R. No. 19, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WEINERT, Chairman.

Austin, Texas,  
March 20, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Jurisprudence, to whom was referred S. C. R. No. 44, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WEINERT, Chairman.

Austin, Texas,  
March 20, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Jurisprudence, to whom was referred S. B. No. 348, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WEINERT, Chairman.

Austin, Texas,  
March 20, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Juris-

prudence, to whom was referred S. C. R. No. 50, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WEINERT, Chairman.

Austin, Texas,  
March 20, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Jurisprudence, to whom was referred H. C. R. No. 37, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WEINERT, Chairman.

Austin, Texas,  
March 20, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Jurisprudence, to whom was referred S. C. R. No. 49, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WEINERT, Chairman.

Austin, Texas,  
March 20, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Jurisprudence, to whom was referred S. C. R. No. 48, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WEINERT, Chairman.

Austin, Texas,  
March 20, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Jurisdiction, to whom was referred H. B. No. 57, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WEINERT, Chairman.

Austin, Texas,  
March 20, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Ju-

risprudence, to whom was referred S. C. R. No. 45, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WEINERT, Chairman.

Austin, Texas,  
March 20, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Jurisprudence, to whom was referred S. B. No. 347, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WEINERT, Chairman.

Senator Parkhouse submitted the following report:

Austin, Texas,  
March 13, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Water and Conservation, to whom was referred S. B. No. 395, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

PARKHOUSE, Chairman.

Senator Willis submitted the following report:

Austin, Texas,  
March 19, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Education, to whom was referred S. B. No. 182, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WILLIS, Chairman.

Senator Lane submitted the following reports:

Austin, Texas,  
March 21, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 177, have had the same under consideration, and we are instructed to report it back to the Senate with

the recommendation that it do pass and be printed.

LANE, Chairman.

Austin, Texas,  
March 21, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 301, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANE, Chairman.

Senator Phillips submitted the following reports:

Austin, Texas,  
March 20, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom was referred H. J. R. No. 4, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

PHILLIPS, Chairman.

Austin, Texas,  
March 20, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We your Committee on Constitutional Amendments, to whom was referred S. J. R. No. 15, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

PHILLIPS, Chairman.

Austin, Texas,  
March 21, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom was referred S. J. R. No. 17, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

PHILLIPS, Chairman.

Austin, Texas,  
March 20, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Con-

stitutional Amendments, to whom was referred S. J. R. No. 13, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

PHILLIPS, Chairman.

#### Message from the House

Hall of the House of Representatives,  
Austin, Texas,  
March 21, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 79, A bill to be entitled "An Act to amend Chapter 325, Acts of the Fiftieth Legislature, 1947 (Vernon's Annotated Civil Statutes, Article 1269m), by amending Section 2 thereof by redefining 'Firemen' and 'Policemen'; and by amending Section 12 thereof by stopping the creation in the future of new classified positions unless established by ordinance; and by amending Section 13 thereof by providing that the results of examinations for promotion shall be published within twenty-four (24) hours; etc.; and declaring an emergency."

(With Engrossed Rider.)

S. B. No. 77, A bill to be entitled "An Act authorizing an 'eligible' city, as defined herein, to employ the alternative procedure of issuing its negotiable revenue bonds, within the maximum amount prescribed herein, secured by the revenues of its waterworks system or its waterworks and sanitary sewer systems, and to utilize the proceeds of such bonds, in accordance with a contract with a district or authority created under Article XVI, Section 59 of the Constitution to pay the construction cost of a water supply project to be constructed by such district, from which supply project such city shall have procured a permit to utilize water outside of the watershed; prescribing the method of the authorization, issuance and terms of such bonds, the security therefor, restrictions as to expenditures of bond proceeds, the right to issue interim bonds, procedure for issuing refunding bonds, requirement for and effect of approval by the Attorney General, right to invest proceeds of

the bonds during the construction period, eligibility characteristics of the bonds; providing that the provisions hereof shall take precedence over conflicting and inconsistent provisions of other statutes and charters; containing a severability provision; enacting other provisions related to the subject; and declaring an emergency." (With Amendments.)

S. B. No. 225, A bill to be entitled "An Act amending Chapter 467, House Bill No. 77, Acts, Second Called Session, Forty-fourth Legislature, as such has been heretofore amended, being the Texas Liquor Control Act, and being the Act carried in Vernon's Penal Code as Articles 666 and 667, so as to clarify such Act and further regulate and control alcoholic beverages by providing for the right of a manufacturer's License, or a renewal of a Manufacturer's License, of any person holding such a license in an area wherein, subsequent to issuance of such license, the sale of beer has been prohibited by local option election; defining the rights of and limitations on a holder of such a license under such conditions; providing a saving clause; repealing laws in conflict herewith; and declaring an emergency."

H. B. No. 2, A bill to be entitled "An Act to amend Section 4 of Article 11 of House Bill 20, Acts of the 47th Legislature, Regular Session, Chapter 173, page 245, as amended by Senate Bill 109, Acts of the 49th Legislature, Chapter 41, page 59, as amended, codified in Vernon's as Article 6687b, Vernon's Civil Statutes, so as to change the qualifications of applicants for the issuance of licenses and to make certain provisions relating thereto; providing a repealing clause; providing a severability clause; and declaring an emergency."

Respectfully submitted,

DOROTHY HALLMAN,  
Chief Clerk, House of Representatives.

#### Senate Resolution 257

Senator Weinert offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate 28 pupils of the 4-B Class of F. C. Weinert Elementary School of Seguin, Guadalupe County, Texas, ac-

accompanied by their teacher or sponsor, Mrs. Josephine Williams; and

Whereas, These students are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine group of young American citizens is here to observe and to learn at firsthand the workings of their State government; now, therefore, be it

Resolved, That we officially recognize and welcome these guests and commend them for their interest; and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Weinert by unanimous consent presented the students and Mrs. Williams to the Members of the Senate.

#### Resolution Signed

The President signed in the presence of the Senate after the caption had been read, the following enrolled resolution:

S. C. R. No. 10, Requesting Texas Legislative Council to study traffic accident problem on streets and highways.

#### Senate Concurrent Resolution 51 on First Reading

Senator Colson moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit her introducing at this time, a resolution, the provisions of which she explained:

The motion prevailed by the following vote:

Yeas—31

Aikin	Lane
Ashley	Lock
Bracewell	Martin
Bradshaw	Moffett
Colson	Moore
Fly	Owen
Fuller	Parkhouse
Gonzalez	Phillips
Hardeman	Ratliff
Hazlewood	Reagan
Herring	Roberts
Hudson	Rogers
Kazen	Secrest
Krueger	Smith

Weinert  
Willis

Wood

The following resolution was then introduced, read first time and referred to the committee indicated:

S. C. R. No. 51, Granting C. P. Sutton et al. permission to sue the State of Texas.

Whereas, On the 6th of January, 1957, Franklin D. Sutton, about 20 years of age, of Foreman, Arkansas, was instantaneously killed when a truck in which he was riding was wrecked because a bridge had been partially removed from the road where Highway No. 90 crosses the Brazos River; and

Whereas, Said Franklin D. Sutton, deceased, left surviving him and dependent upon her for support, his mother, Mrs. Mae Sutton, and his father, C. P. Sutton, as well as funeral bills as charges against his estate; and

Whereas, The said C. P. Sutton and wife, Mae Sutton and the legal representatives of the said Franklin D. Sutton, deceased, desire to bring suit against the State of Texas and the State Highway Department, jointly, to establish and recover damages, if any, resulting to them by virtue of said death and said wreck; and

Whereas, It is alleged that the said C. P. Sutton and wife, Mae Sutton, have never been compensated by the State of Texas for damages resulting from the death of the said Franklin D. Sutton; now, therefore, be it

Resolved, By the Senate of the State of Texas, the House of Representatives concurring, That C. P. Sutton and wife, Mae Sutton and the legal representatives of the estate of Franklin D. Sutton, deceased, are hereby granted permission to bring suit against the State of Texas and/or the State Highway Department, jointly, on account of the death of said Franklin D. Sutton, on account of funeral expenses incurred, if any, on account of the alleged negligence of the employees of the State Highway Department, as aforesaid, and for all damages, if any, both for said death and for funeral expenses, accruing to the said C. P. Sutton and wife, Mae Sutton and the legal representatives of the estate of Franklin D. Sutton, deceased, by reason of said alleged negligence; and, be it further

Resolved, That such suit may be

filed in any Court of competent jurisdiction within the State of Texas, within the next two (2) years from the date this Act takes effect, but it is understood that the sole purpose of this resolution is to grant permission to the aforesaid C. P. Sutton and wife, Mae Sutton and the legal representatives of the estate of Franklin D. Sutton, deceased, to bring suit against the State of Texas, and no admission of liability of the State or of any fact is made in any way by the passage of this resolution, and it is specifically provided that the facts upon which they seek to recover must be proved in court as in other civil cases; and, be it further

Resolved, That process in such suit may be served upon the Chairman of the State Highway Commission and the Attorney General of Texas with the same force and effect as in any other civil case.

To the Committee on Jurisprudence.

#### Senate Resolution 258

Senator Hardeman offered the following resolution:

Whereas, It has long been the custom of the Texas Sheep and Goat Raisers Association, the Women's Auxiliary of the Texas Sheep and Goat Raisers Association, and the Texas Angora Goat Raisers Association annually to select queens and alternates of wool and mohair; and

Whereas, The reigning and alternate queens of wool are Miss Earlene Whitt of Austin, and Miss Peggy Seay of Floresville, respectively, and the reigning queen of mohair is Miss Elizabeth Ann Hough of Rocksprings; and

Whereas, These charming daughters of Texas ably represent the vast wool and mohair interests and exemplify the beauty and efficiency which pervades the young womanhood of the Lone Star State; and

Whereas, These maidens fair and damsels rare are to be in Austin and the Capitol on March 26, 1957, and it is the desire of the Senate of Texas to recognize the presence of these lovely Texas beauties and extend them a cordial invitation to visit the Senate Chamber on such date; now, therefore, be it

Resolved, By the Senate of Texas, That Miss Whitt, Miss Seay and Miss Hough and members of their court be and they are hereby invited to visit

the Senate Chamber on March 26, 1957, and be officially recognized as reigning royalty of the wool and mohair segment of the livestock industry of Texas.

HARDEMAN  
WEINERT

The resolution was read and was adopted.

#### Senate Concurrent Resolution 52

Senator Krueger offered the following resolution:

S. C. R. No. 52, Recalling S. B. No. 237 from House of Representatives.

Whereas, Senate Bill No. 237 was inadvertently sent to the House before final action was taken on it in the Senate; and

Whereas, Senate Bill No. 237 is now in the House Speaker's office; now, therefore, be it

Resolved, By the Senate of Texas to the House of Representatives concurring, That the House be and is hereby requested to return Senate Bill No. 237 for completion.

The resolution was read.

On motion of Senator Krueger and by unanimous consent the resolution was considered immediately and was adopted.

#### Senate Resolution 259

Senator Reagan offered the following resolution:

Whereas, It is the custom during each Legislative Session for the Senate of Texas to bestow honor upon the daughter of a member of this Body by designating her as a Sweetheart of the Senate; and

Whereas, All the Members of the Senate have been won by the charm and beauty of Cay Lillee Krueger, age five years; and

Whereas, This lovely little lady is the daughter of our distinguished colleague and friend, the Honorable and Mrs. Culp Krueger of El Campo, Texas; and

Whereas, It is the desire of the Members of the Senate to proclaim our love and admiration for this delightful child; now, therefore, be it

Resolved, That we herewith designate Cay Lillee Krueger as Sweetheart of the Senate of the Fifty-fifth Legislature; and, be it further

Resolved, That her photograph be

placed on the picture panel with the Members of the Senate and that it be so designated as Sweetheart of the Senate; and, be it further

Resolved, That a copy of this Resolution be presented to her with all good wishes for her health and happiness during her reign of honor and through the years to come.

The resolution was read and was adopted.

#### Senate Concurrent Resolution 53

Senator Fly offered the following resolution:

S. C. R. No. 53, Commemorating the Heroes of Goliad and the Memorial Celebration thereof on March 27, 1957.

Whereas, on Palm Sunday, March 27th, 1836, on orders from General Santa Anna, Commander in Chief of the Mexican Army, Colonel James W. Fannin and 330 of his army, after having surrendered a week prior thereto upon honorable terms, to the superior forces of the Mexican Army under General Urrera were marched out of the Presidio of La Bahia At Goliad and brutally massacred in cruel violation of a sacred rule of civilized warfare toward prisoners of war, and

Whereas, the various Historic, Patriotic, and Civic organizations of Goliad have joined in arranging a fitting program in commemoration of the 121st anniversary of this last full measure of sacrifice by patriots fighting in the cause of Texas freedom, and

Whereas, This memorial program will take place March 27th at 3:00 p.m. on the spot where the "skeleton and bones" of these patriots were buried in a common grave, and will feature pilgrimages by the Boy Scouts of the area, school children from the schools of Goliad, and the various schools of other towns surrounding; The State President of the Daughters of the Republic of Texas; the State President of the Sons of the Republic of Texas, and other prominent dignitaries will be present, and a detail of Jet Planes from Foster Air Force Base at Victoria will fly over in salute of those who died for freedoms cause on this past historic occasion, and

Whereas, No spot in Texas has a richer historic background than Goliad and its environs:

1. It was here that the Presidio of La Bahia and Missions Espiritu Santo and San Rosario were established in 1749.

2. It was here that General Magee and his American volunteers captured La Bahia in the Mexican Revolution against Spain in 1812.

3. It was here that Henry Perry Lieutenant under Magee, in retreat from Mexico was over taken by Arrendondo at La Bahia, and Perry and fifty Americans massacred, in 1817.

4. It was here that La Bahia was captured by Dr. Long of Mississippi at the head of American volunteers in 1821.

5. It was here that by decree of the Congress of Coahuila and Texas that the fortress La Bahia del Espiritu Santo was authorized to be called "Goliad" in 1829.

6. It was here that Goliad was captured by Collingsworth and Ben Milam just seven days after the "first shot" was fired at Gonzales in 1835.

7. It was here on December 22, 1835 that the First Declaration of Independence was declared at Goliad by Texans under Phillip Dimmitt and Ira Ingram.

8. It was here on March 18 that the last fight between Fannin's troops and Mexicans occurred across river from La Bahia at Mission Espiritu Santo (aranama) in 1836.

9. It was here on March 19th, 1836, that Fannin's forces began retreat from La Bahia the ensuing Battle of the Perdido resulted in surrender of Fannin's command next morning.

10. It was here on Palm Sunday, March 27th, 1836, that the Massacre of Colonel Fannin and 330 men at La Bahia took place.

11. It was here on June 4th, 1836, that General Rusk and his army arrived at Goliad and the following day gave military burial conducted by General Sidney Sherman, to the bones of Fannin's command; now, therefore, be it

Resolved by the Senate of Texas with the House of Representatives concurring, That we commend the citizens of the Town of Goliad; the pupils from the various schools; the Boy Scouts, and all those present and participating in this program for their patriotic interest in the great Historic Heritage of Texas, and that we urge other communities to emulate this example, in commemorating and keeping fresh in the minds of our

people, the historic events contributing to the freedom of Texas; and be it further

Resolved, That when we adjourn on March 27th we do so in honor of the heroes who died at Goliad and we bow our heads for a minute of silence in their memory.

The resolution was read.

On motion of Senator Fly and by unanimous consent the resolution was considered immediately and was adopted.

#### Senate Resolution 260

Senator Moffett offered the following resolution:

Whereas, We are honored today to have as visitors in the Senate Tom Craddock and Henry Arledge of Baylor County, Orel Patterson and August Schumacker of Knox County, and John Grindstaff of Haskell County, all prominent citizens and agricultural leaders of their respective counties; and

Whereas, We desire to welcome these distinguished visitors to the Capitol Building and Capital City; now, therefore, be it

Resolved, That their presence be recognized by the Senate of Texas and that they be extended the official welcome of the Senate.

The resolution was read and was adopted.

#### Presentation of Guests

Senator Willis by unanimous consent presented Mrs. Margaret Tannahill and daughter to the Members of the Senate.

#### House Bill 143 on Second Reading

On motion of Senator Hudson and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 143, A bill to be entitled "An Act amending Section 35 of the Election Code of Texas, codified as Article 5.03 of Vernon's Texas Election Code, relating to qualifications for voting in elections for the purpose of issuing bonds or otherwise lending credit or expending money or assuming debt, by adding a provision stating the conditions under which property shall be deemed to have been duly rendered for taxation; re-

pealing conflicting laws; providing for severability; and declaring an emergency."

The bill was read second time.

Senator Hudson offered the following amendment to the bill:

Amend House Bill 143 by striking out the last sentence of Section 1 and inserting in lieu thereof the following:

"Property shall be deemed to have been duly rendered for taxation, for the purpose of determining eligibility to vote in an election as provided in this Code and in Article VI, Section 3a of the Constitution of this State, only if the property was rendered to the county, city, district, or other political subdivision holding the election within the period of time fixed by law for such rendition, or was placed on the tax rolls by the tax assessor prior to the date on which the election was ordered, if the regular rendition period expired before that date. In making up the certified list of owners of taxable property to be used at an election, the tax collector shall include thereon only the names of persons owning taxable property which has been duly rendered for taxation, as herein defined."

The amendment was adopted.

On motion of Senator Hudson and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading.

#### House Bill 143 on Third Reading

Senator Hudson moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that Senate Bill No. 143 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Herring
Ashley	Hudson
Bracewell	Kazen
Bradshaw	Krueger
Colson	Lane
Fly	Lock
Fuller	Martin
Gonzalez	Moffett
Hardeman	Moore
Hazlewood	Owen

Parkhouse	Secrest
Phillips	Smith
Ratliff	Weinert
Reagan	Willis
Roberts	Wood
Rogers	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

#### Message from the House

Hall of the House of Representatives,  
Austin, Texas,  
March 21, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 245, A bill to be entitled "An Act amending Article 597, Code of Criminal Procedure, 1925, so as to provide that the summons provided therein may be made by first class United States mail, certified United States mail or by registered United States mail, as the judges drawing the jury may direct, as well as verbally made upon each juror in person; providing a repealing clause; providing a severability clause and declaring an emergency."

H. B. No. 246, A bill to be entitled "An Act authorizing the use of certified mail in lieu of registered mail; declaring the mailing of notices and other material by certified mail to have the same legal effect as if sent by registered mail; continuing the use of registered mail where insurance against loss is needed; providing a severability clause and declaring an emergency."

H. B. No. 258, A bill to be entitled "An Act changing the name and designation of the Special 37th Judicial District of Bexar County, Texas, as created by Senate Bill No. 395, Acts of the 54th Legislature, 1955, Chapter 262, page 730, to the 121st Judicial District of Bexar County, Texas, providing that the duly elected Judge of the Special 37th Judicial District shall be the Judge of the 121st Judicial District until the time for which he has been elected expires, and his successor qualifies; and declaring an emergency."

H. B. No. 269, A bill to be entitled "An Act re-enacting and amending Chapter 128, Acts of the 50th Legislature, Regular Session, as amended by Chapter 206, Acts of the 51st Legislature, Regular Session, as amended by Chapter 230, Acts of the 53rd Legislature, Regular Session; validating with certain exceptions annexation by cities and towns of less than 100,000 inhabitants heretofore made of territories of water control and improvement districts and fresh water supply districts and the taking over the properties and assets of such districts and the assumption of debts and liabilities and obligations by such cities and towns, and bonds issued by such cities and towns to refund district obligations; repealing Chapter 134, Acts of the 52nd Legislature, Regular Session, and all laws in conflict or inconsistent with this Act, to the extent of such conflict or inconsistency; providing a severability clause; and declaring an emergency."

H. B. No. 292, A bill to be entitled "An Act authorizing and directing the Board of Regents of the State Teachers Colleges to execute and deliver to the State Highway Commission rights of way easements to four tracts of land in Hays County for the construction and maintenance of U. S. Highway 81 extending along and across certain State property owned by the State of Texas for the use and benefit of Southwest Texas State Teachers College; and declaring an emergency."

H. B. No. 330, A bill to be entitled "An Act amending Article 923b of the Penal Code of Texas, which makes it unlawful to injure or kill bats, by providing certain exceptions thereto; authorizing the establishment of exempt areas by the State Commissioner of Health and the issuance of permits by health officers for the destruction of bats under certain circumstances, and further permitting the killing of bats in the proximity of public or private buildings; providing for severability; and declaring an emergency."

H. B. No. 322, A bill to be entitled "An Act providing for County Juvenile Boards in each county comprising the Second 38th Judicial District; providing for compensation of members of the Boards; providing compensation allowed County Judges here-

under shall not be counted as fees of office; providing that this Act shall be cumulative of existing laws relating to compensation of Judges of District Courts and County Judges; providing a savings clause; and declaring an emergency."

H. B. No. 354, A bill to be entitled "An Act amending Sub-sections (b) and (c) of Section 1, Senate Bill 476, Acts 1935, 44th Legislature, Regular Session, Page 368, Chapter 134, to provide for publication once each week for two successive weeks of advertisements for the taking of bids for the sale or lease of property owned by Navigation Districts; providing for the leasing of surplus lands belonging to Navigation Districts for a term not to exceed five years without the taking of bids; providing that this Act be cumulative of all other laws governing the Navigation Districts not in conflict with the provisions hereof; providing a savings clause; and declaring an emergency."

H. B. No. 362, A bill to be entitled "An Act amending Section 10, House Bill 374, Acts 1955, 54th Legislature, Regular Session, Page 1137, Chapter 427, fixing compensation of District and Criminal District Judges in certain counties to be paid out of county funds, in addition to amounts paid out of state revenue; and declaring an emergency."

H. B. No. 378, A bill to be entitled "An Act providing for a closed season in Scurry County upon quail until April 30, 1963; providing a penalty; and declaring an emergency."

H. B. No. 379, A bill to be entitled "An Act providing for a closed season in Borden County upon quail until April 30, 1963; providing a penalty; and declaring an emergency."

H. B. No. 501, A bill to be entitled "An Act creating the County Court at Law No. 4 of Harris County, Texas; providing for the organization thereof and practice therein; prescribing the jurisdiction and term thereof; defining the powers, rights and privileges of the judge thereof; providing for clerks therefor in civil and criminal matters and causes and prescribing their duties; providing for the creation of civil and criminal dockets; providing for the appointment, election and compensation of the judge of the court and prescribing his quali-

fications; providing for an official court reporter and for his compensation; providing for the collection of fees; providing for an official seal of the court; prescribing certain duties of sheriffs and constables in relation to the court; providing for a special judge; providing for transfer of cases and for exchange of benches; providing for return and validity of process in transferred cases; providing that this Act shall not affect the civil jurisdiction of the County Court at Law of Harris County, Texas; providing for severability; repealing all laws or parts of laws in conflict herewith; and declaring an emergency."

H. B. No. 523, A bill to be entitled "An Act amending Article 5766 of the Revised Civil Statutes of Texas, 1925, to provide that both males and females, who are otherwise qualified, shall constitute the militia and be subject to military duty; and declaring an emergency."

H. B. No. 578, A bill to be entitled "An Act fixing the period that deer and wild turkey may be hunted, taken or killed in Throckmorton County, providing for a penalty and declaring an emergency."

H. B. No. 662, A bill to be entitled "An Act to establish the Probate Court of Tarrant County; to define the jurisdiction thereof and to conform to such change the jurisdiction of the County Court of Tarrant County; and providing for the transfer of matters and proceedings from the County Court of Tarrant County to said Probate Court of Tarrant County; declaring the validity in the transferred cases of writs and processes extant at the time of such transfer; granting said Court certain powers; providing for the practice and procedure in said Court, and for the terms of said Court, and the election, qualification and appointment of a judge thereof, and the execution of a bond and oath of office, the filling of vacancies on said court, and the election or appointment of a Special Judge; providing for a Clerk of said Court, and for the duties of said Clerk, and the duties of the Sheriff as to such Court; providing a seal for said Court; establishing the fees and compensation to be paid the Judge thereof, and providing for the payment of such compensation; conferring upon the County Judge the power and authority to transfer mat-

ters and proceedings from the County Court of Tarrant County to said Probate Court, and conferring upon the County Judge the power to sit and act as the Judge of said Court in certain cases; providing other provisions concerning the function and business of said Court; providing for other officers and employees of said Court; authorizing the Commissioners Court of Tarrant County to amend the county budget for the 1957 fiscal year to provide for the expenses herein authorized; providing for a severability clause; and declaring an emergency."

H. B. No. 359, A bill to be entitled "An Act transferring a certain tract of land located on Brazos Island in Cameron County from the General Land Office to the Texas State Parks Board; reserving an easement to the Game and Fish Commission for the construction of a fish pass at Boca Chica Pass; making other provisions relating thereto; and declaring an emergency."

H. B. No. 391, A bill to be entitled "An Act amending Chapter 218, Acts 1949, 51st Legislature, as amended by Chapter 304, Acts 1951, 52nd Legislature, providing for two year terms of park commissioners of eligible counties and adding a new section providing that any bonds issued under said chapter shall be authorized by the Commissioners' Court of the county; providing a severability clause and declaring an emergency."

H. B. No. 411, A bill to be entitled "An Act exempting Deaf Smith, Hale and Swisher Counties from the provisions of Chapter 7, Title 121, Revised Civil Statutes of Texas, 1925, and from all other laws regulating the inspection of hides and animals, and particularly from the provisions of Article 1471 through 1487 of the Penal Code of Texas, 1925; and declaring an emergency."

H. B. No. 412, A bill to be entitled "An Act granting the Commissioners Court of Henderson County permission to pay out of the General Fund of said County bounties for the destruction of wolves and predatory animals; and declaring an emergency."

H. B. No. 418, A bill to be entitled "An Act repealing Section 4 of Chapter 206, General Laws of the 42nd Legislature, Regular Session, 1931

(Article 689a-3, Vernon's Texas Civil Statutes); and declaring an emergency."

H. B. No. 425, A bill to be entitled "An Act authorizing cities to hold an election to authorize the use of proceeds of sale of bonds for other purposes where the purpose for which the bonds were voted has been accomplished by other means or has been abandoned; containing a saving clause; and declaring an emergency."

H. B. No. 428, A bill to be entitled "An Act to amend the law creating the Upper Guadalupe River Authority with boundaries coextensive with Kerr County by providing that such district may acquire taxing power under certain conditions, prescribing the method for acquiring such power and placing limitations thereon, providing for tax rolls and officers of the district, providing certain procedures in connection therewith and permitting the issuance of bonds secured by the pledge of ad valorem taxes, and declaring an emergency."

H. B. No. 431, A bill to be entitled "An Act closing the season for hunting wild turkeys in Cherokee and Nacogdoches Counties for a period of two years; providing a penalty for violation of this Act; suspending conflicting laws; and declaring an emergency."

H. B. No. 434, A bill to be entitled "An Act authorizing the State Department of Health to provide Planning Assistance for Municipalities of 25,000 population or less and to accept grants therefor under the provisions of the Federal Housing Act of 1954 or from other sources; and declaring an emergency."

H. B. No. 435, A bill to be entitled "An Act relating to the hunting of deer in Sabine and Nacogdoches Counties; amending Section 1 of Chapter 409, Acts of the 53rd Legislature, Regular Session, as amended, by changing the open season for hunting deer in Sabine County and by adding and re-enacting a provision permitting the use of dogs for hunting deer in Sabine County; re-enacting Section 1 of Chapter 384, Acts of the 51st Legislature, Regular Session, 1949, permitting the use of dogs for hunting deer in Nacogdoches County; repealing

conflicting laws; and declaring an emergency."

H. B. No. 436, A bill to be entitled "An Act fixing the open season for squirrel in Sabine County and prescribing a penalty for violation; amending Section 1 of Chapter 142, Acts of the 54th Legislature, by deleting Sabine County therefrom; and declaring an emergency."

H. B. No. 437, A bill to be entitled "An Act amending Section 2 of Chapter 297, Acts of the 52nd Legislature, as amended, which prohibits the sale of fish taken from the public fresh waters of certain counties, by excepting the Sabine River in Sabine County therefrom; legalizing the sale of fish, except bass and crappie, taken from the Sabine River in Sabine County, and making the taking and sale of fish from these waters subject to the general laws of this State, repealing conflicting laws; and declaring an emergency."

H. B. No. 454, A bill to be entitled "An Act to amend Article 4436a-1, Vernon's Texas Statutes, the same being Acts of the Forty-sixth Legislature, Special Session in 1929, page 844, by providing that in any County containing an incorporated city the Commissioners' Court and City Council may cooperate in forming a City-County Health Unit and combined health units of any political subdivisions appropriate funds to the combined unit; repealing all laws and parts of laws in conflict herewith; and declaring an emergency."

H. B. No. 641, A bill to be entitled "An Act relating to Harris County Houston Ship Channel Navigation District of Harris County, Texas: (a) authorizing said District to acquire, purchase, enlarge, extend, repair, maintain, operate, or develop certain improvements and facilities; authorizing the Board of Navigation and Canal Commissioners of said District to prescribe fees and charges for the use of the improvements and facilities of the District and providing for the use and disposition of the revenues produced thereby; authorizing the issuance by said Board of obligations of the District payable solely out of said revenues and containing provisions relating to said revenues and to be said obligations and the issuance thereof and to said improve-

ments and facilities; and declaring an emergency."

Respectfully submitted,  
DOROTHY HALLMAN,  
Chief Clerk, House of Representatives

#### Senate Resolution 261

Senator Herring offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate, the 7th grade class of Lamar Junior High School in Austin, Travis County, Texas, accompanied by their sponsors, Mrs. Mackintosh, Mrs. Kantz and Mr. Reynolds; and

Whereas, These students are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine group of young American citizens is here to observe and to learn at firsthand the workings of their State government; now, therefore, be it

Resolved, That we officially recognize and welcome these guests and commend them for their interest; and that a copy of this Resolution, properly endorsed, bearing the official seal of the Senate, be mailed to their class in recognition of their visit.

HERRING  
BRADSHAW

The resolution was read and was adopted.

Senator Herring by unanimous consent presented the students including Lilly Bradshaw, daughter of Senator Bradshaw, and sponsors to the Members of the Senate.

#### Senate Resolution 262

Senator Bracewell offered the following resolution:

Whereas, We will be honored Saturday to have as visitors in the Senate students from Henderson School, Houston, Harris County, Texas, accompanied by their teachers and sponsors, and

Whereas, These students are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine group of young American citizens is here to observe and to learn at firsthand the workings of their State government; now, therefore, be it

Resolved, That we officially recognize and welcome these guests and commend them for their interest; and

that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

#### Local and Uncontested Bill Session

On motion of Senator Martin, and by unanimous consent, the Senate agreed to hold a session for the consideration of a Local and Uncontested Bill Calendar on Tuesday, March 26, 1957, at 9:30 o'clock a.m.

#### Adjournment

On motion of Senator Hardeman the Senate at 11:44 o'clock a.m. adjourned until 10:30 o'clock a.m. on Monday, March 25, 1957.

#### Record of Vote

Senator Phillips asked to be recorded as voting "Nay" on the motion to adjourn.

### FORTY-THIRD DAY

(Monday, March 25, 1957)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Martin
Ashley	Moffett
Bradshaw	Moore
Colson	Owen
Fly	Parkhouse
Fuller	Phillips
Gonzalez	Ratliff
Hardeman	Reagan
Hazlewood	Roberts
Herring	Rogers
Kazen	Smith
Krueger	Weinert
Lane	Willis
Lock	Wood

#### Absent—Excused

Bracewell	Secrest
Hudson	

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, March 21, 1957, was dis-

pensed with and the Journal was approved.

#### Leaves of Absence

Senator Secrest was granted leave of absence for today on account of important business on motion of Senator Krueger.

Senator Hudson was granted leave of absence for today on account of important business on motion of Senator Owen.

Senator Bracewell was granted leave of absence for today on account of important business on motion of Senator Reagan.

#### Senate Resolution 263

Senator Hardeman offered the following resolution:

Whereas, On this date in history one hundred thirty-six years ago Grecian patriots cast off the Ottoman fetters with which they had been bound for about four hundred years; and

Whereas, This great people of Hellas demonstrated the courage and heroism inherited from the Homeric Age in declaring and maintaining their independence throughout the passing years; and

Whereas, It is the desire of the Senate of Texas to recognize the valor and patriotism of the people of Greece; now, therefore, be it

Resolved, By the Senate of Texas that the people of Greece be congratulated upon the maintenance of their blood-bought independence, as well as for the many contributions of the Greek people, from the earliest days of antiquity, to the culture of the world.

**HARDEMAN  
PARKHOUSE**

The resolution was read and was adopted.

#### Senate Resolution 265

Senator Lane offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate the Civics and American History Class of the Beckville High School accompanied by their teacher Miss Avis Kinard, Mr. Ben Wallace and Mr. J. W. Walters; and

Whereas, These students are on an educational tour of the Capitol Building and the Capital City; and